

THIRTY-SECOND DAY.

(Continued.)

(Saturday, February 23, 1929.)

The House met at 10 o'clock a. m., and was called to order by Speaker Barron.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Rogers, Senate bill No. 181 was ordered not printed.

On motion of Mr. Murphy, Senate bills Nos. 529, 527 and 526 were ordered not printed.

On motion of Mr. Murphy, House bill No. 23 was ordered not printed.

On motion of Mr. Coltrin, Senate bill No. 573 was ordered not printed.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 22, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. C. R. No. 22, Commemorating the patriotic service of the Hon. H. J. Graham of Boerne, Texas.

The Senate has adopted the free conference committee report on Senate bill No. 74 by a viva voce vote.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

RELATING TO HOUSE BILL NO. 653.

On motion of Mr. Finlay, the following typographical error was ordered corrected in House bill No. 653: Change "Section 155" to "Section 2," and strike out the figures "155" in the first part of Section 1.

HOUSE BILL NO. 381 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 381, A bill to be entitled "An Act to fix the salary of the superintendent of public instruction of each county in Texas having a population of not less than 15,000 nor more than 25,000 according to the last Federal census; providing for office expenses; repealing all laws and parts of laws in conflict; and declaring an emergency."

The bill was read second time.

Mr. Quinn offered the following (committee) amendments to the bill:

(1)

Amend the caption by striking out the word or figures "15,000" and insert the figures "15,300" in lieu thereof. Also strike out the word or figures "25,000" and insert in lieu thereof "15,400."

(2)

Wherever "15,000" occurs in Sections 1 and 2, strike it out and insert in lieu thereof the figures "15,300," and where the figures "25,000" occur in said section, strike them out and place in lieu thereof the words or figures "15,400."

(3)

Wherever the figures "\$2500" occur in this bill, strike them out and insert in lieu thereof "\$2000"; strike out the figures "\$3000" wherever they occur and insert the words "\$2500"; and wherever "\$500" occurs strike them out and insert in lieu thereof the figures "\$300."

The amendments were severally adopted.

House bill No. 381 was then passed to engrossment.

HOUSE BILL NO. 574 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 574, A bill to be entitled "An Act to amend Article 2372 of Title 44, Revised Civil Statutes of Texas of 1925, providing for pay of court interpreters, and prescribing such."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 529 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 529, A bill to be entitled "An Act to amend Chapter 59 of the Local and Special Laws enacted by the Thirty-fourth Legislature at its Regular Session in 1915, as amended by Chapter 51, Special Laws enacted by the Thirtieth Legislature at its First Called Session in 1926, same being a special road law for Wise county, by adding thereto Section 12b, authorizing the commissioners court of Wise county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge pur-

poses, and to levy a tax in payment thereof."

The bill was read second time.

On motion of Mr. Woodruff, the bill was laid on the table subject to call.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 57, "An Act to provide for increasing the territorial limits of any city of more than 5000 inhabitants which has adopted a charter under the home rule amendment, Article 11, Section 5, of the Constitution; providing for annexation of adjacent territory by a majority vote of the qualified voters of the city affected and of the territory annexed; and providing for the adjustment upon a just and equitable basis of the bonded indebtedness against the territory annexed, has theretofore been included in any irrigation district or water improvement district or water control and improvement district under any of the provisions of the general laws or the Constitution, and carrying at the time each such adjacent territory is annexed to said city, bonded indebtedness on flat rates due, to the irrigation district, water improvement district or water control and improvement district; and repealing all laws, general or special, in conflict herewith; and declaring an emergency."

S. B. No. 238, "An Act making certain emergency appropriations out of the general revenues of the State of Texas for the several institutions and departments of the State government as named herein, for the balance of the fiscal year ending August 31, 1929; and declaring an emergency."

S. B. No. 36, "An Act to amend Article 1052, Title 15, Chapter 3, of the Code of Criminal Procedure of the State of Texas, Revision of 1925, so as to provide fees for the courts in misdemeanor cases and to relieve the courts of any interest in the result of the trial; and declaring an emergency."

S. B. No. 347, "An Act amending House bill No. 299, Chapter 37, Acts of the Regular Session of the Thirty-fifth Legislature, 1917, amending Section 5 of said act; providing for the creation and appointment of a board of equalization for the Sinton independent school district, established in San Patricio county, Texas, by said act of the Thirty-fifth Legislature; describing the qualifications for the members of the said

board of equalization, fixing its powers and duties, and providing for compensation for the members of said board; and declaring an emergency."

S. B. No. 414, "An Act creating a more efficient road system for Freestone county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners court shall cooperate with the State Highway Department in the establishment, construction and maintenance of roads, bridges and culverts to be paid for partly by the county and partly by the State or Federal government; authorizing the commissioners court of Freestone county to issue bonds of said county for the purpose of funding or refunding indebtedness in the sum of \$53,431.59 incurred prior to January 1, 1921, and being the balance of principal unpaid on those certain five issues of funding warrants issued by the commissioners court of Freestone county, Texas, against road and bridge fund of said county for road and bridge purposes, and to levy a tax in payment thereof; and providing that if the validity of the indebtedness to be funded by such bonds is not questioned in any suit or proceeding within sixty days from the adoption of the order of the commissioners court authorizing the issuance of such bonds, then such indebtedness shall be conclusively presumed to be valid; providing that this act shall be cumulative of all other special road laws for Freestone county; and declaring an emergency."

S. B. No. 73, "An Act authorizing the board of regents of the University of Texas to acquire, operate and manage seven boys' dormitories at the University of Texas, and to furnish and equip the same, and a dining hall building in connection therewith; authorizing said regents to prescribe plans and specifications, not inconsistent herewith, and to accept said buildings when completed without cost to the State of Texas; authorizing said regents to make contracts with reference to the acquisition, management and control of said buildings, and appropriating the sum of one hundred and fifty thousand (\$150,000) dollars with which to purchase furni-

ture, fixtures and appointments therefor; and declaring an emergency."

S. B. No. 317, "An Act amending Articles 1595 and 1600 of the Revised Civil Statutes of 1925, as amended, providing that no county seat situated within five miles of the geographical center of any county shall be removed except by a vote of two-thirds of all the electors in said county voting on the subject, etc.; and declaring an emergency."

S. B. No. 481, "An Act to accept the benefits and provisions of the Act of Congress authorizing the extension of Federal aid for the construction of toll bridges on the highways included in the Federal system, under certain conditions and limitations, 44 United States Statutes 1398, approved March 3, 1929, etc., and declaring an emergency."

S. B. No. 74, "An Act to amend Article 4604 of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-eighth Legislature, 1925, so as to provide that persons who desire to marry shall procure a license from the county clerk directed to all persons authorized by law to celebrate the rites of matrimony; providing that the county clerk at the time the license is applied for shall examine the applicant or applicants for the license, under oath, as to age and residence, which shall be reduced to writing by the county clerk and subscribed to by the applicant or applicants; and providing in case either party is absent when application is made an affidavit shall be made by person other than the contracting party as to age and residence of the absent party; providing for the filing of said affidavit in the county clerk's office; providing that application for license shall be made at least three and not more than thirty days before the license shall be issued; providing for the recording of applications for license by the county clerk in a book kept for that purpose and marked 'Notice of Intention to Marry'; and providing that after the expiration of ten and not more than thirty days after the signing of the notice of intention to marry the county clerk may issue said license; and declaring an emergency."

HOUSE BILL NO. 157 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 157, A bill to be entitled "An Act to amend Chapter 155, page

266, Section 1, Acts of the Thirty-ninth Legislature, 1925, so as to grant to all incorporated cities and towns the banks, beds and channels and the abandoned banks, beds and channels of all rivers, streams and other channels," etc.

The bill was read second time.

Mr. Williams of Travis offered the following (committee) amendments to the bill:

(1)

Amend House bill No. 157 by adding at the bottom of Section 1 a comma in place of the period after the word "State" and also adding the following, "provided, that this grant shall not impair any right of the State in the waters or channels of such streams or in the control thereof; and provided further, no city or town shall sell any sand, gravel or other mineral, whether liquid, solid or vaporous, in or under the premises granted, this grant being for the purpose of enabling such cities and towns to improve such property along the banks of such rivers and streams for parks and playgrounds and remove all menaces to public health therefrom."

(2)

Amend caption of House bill No. 157 by adding a comma in place of the period after the words "corporate limits" and also adding the following, "for the specific purposes expressed in this act."

The amendments were severally adopted.

House bill No. 157 was then passed to engrossment.

HOUSE BILL NO. 568 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 568, A bill to be entitled "An Act making it unlawful to shoot at or kill any wild turkey in Cass, Bowie, Morris, Titus, Red River, Marion and Harrison counties."

The bill was read second time.

Mr. Simmons offered the following amendments to the bill:

(1)

Amend House bill No. 568 by adding the word "Williamson" in Section 1 after the word "Harrison."

(2)

Amend the caption to House bill No. 568 by adding the word "Williamson" after the word "Harrison."

The amendments were severally adopted.

HOUSE BILL NO. 570 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 570, A bill to be entitled "An Act to provide for a five-year closed season on wild turkey and prairie chickens in Hutchinson county."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 591 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 591, A bill to be entitled "An Act providing for the compensation of certain employees of the State penitentiary system."

The bill was read second time and was passed to engrossment.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced February 21, 1929, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Purl, Mrs. Negley, Mr. Hogg, Mr. Pool and Mr. Cox of Navarro:

H. B. No. 722, A bill to be entitled "An Act appropriating the sum of three million dollars (\$3,000,000) for the renovation, repair and furnishing of the State Capitol."

Referred to Committee on Appropriations.

By Mr. Murphy:

H. B. No. 723, A bill to be entitled "An Act authorizing the commissioners court of Polk county to employ a deputy in aid of the regularly elected sheriff of said county."

Referred to Committee on Counties.

By Mr. Hornaday:

H. B. No. 724, A bill to be entitled "An Act creating Brownsville navigation district of Cameron county, Texas, to be governed by the provisions of Section 59, Article 16, of the Constitution, and by Chapter 5 of the General Laws passed by the Thirty-ninth Legislature at its Regular Session in 1925, relating to navigation districts, except as herein otherwise provided, and defining its boundaries."

Referred to Committee on Conservation and Reclamation.

By Mr. Hardy:

H. B. No. 726, A bill to be entitled "An Act amending Chapter 6 of the Penal Code by adding a new article, to be Article 639a, conferring upon Travis county concurrent venue in cases where the offense is that of operating a gambling house, and authorizing the rangers to gather evidence in such cases, and the grand jury of Travis county to hear and return indictment for said offense wherever committed in this State."

Referred to Committee on Criminal Jurisprudence.

By Mr. Hardin:

H. B. No. 727, A bill to be entitled "An Act amending Sections 1 and 3, and adding Section 4, being Senate bill No. 320, passed at the Regular Session of the Fortieth Legislature, all relating to the labeling and sale of prison-made goods; providing a penalty, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Anderson and Mr. Kayton:

H. B. No. 728, A bill to be entitled "An Act fixing the compensation of the justice of the peace in counties containing justice precincts where there is a population of 125,000 inhabitants or more according to the last Federal census."

Referred to Committee on Counties.

By Mr. Bradley:

H. B. No. 729, A bill to be entitled "An Act to amend Article 5510 of the Revised Civil Statutes of the State of Texas, so as to limit the amount of land that may be recovered under the ten-year statute, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Graves of Williamson and Mr. Mankin:

H. B. No. 730, A bill to be entitled "An Act making it unlawful to take or kill wild squirrels in Williamson county during certain months of the year, and providing that the remainder of the year shall be an open season for killing wild squirrels."

Referred to Committee on Game and Fisheries.

By Mr. Olsen, Mr. Albritton, Mr. Hopkins and Mr. Martin:

H. B. No. 731, A bill to be entitled "An Act authorizing and directing the

board of directors of the Agricultural and Mechanical College of Texas to establish and maintain an agricultural experiment station in Lavaca county, within a radius of five miles of the town of Yoakum, Texas."

Referred to Committee on Agriculture.

By Mr. Storey and Mr. Palmer:

H. B. No. 732, A bill to be entitled "An Act approving, ratifying and confirming a contract of date January 1, 1929, by and between the board of managers of the Texas State Railroad and Texas and New Orleans Railroad Company, approved by the Governor of Texas, and for the maintenance and operation of the properties of said Texas State Railroad by said Texas and New Orleans Railroad Company; providing that this act shall be cumulative of Chapter 26 of the General Laws of the Regular Session of the Thirty-seventh Legislature, approved March 12, 1921, and that said contract shall, upon the date becoming effective, supersede the contract between the same parties which was confirmed and ratified by Chapter 3 of the General Laws of the Thirty-seventh Legislature, approved August 25, 1921; and declaring an emergency."

Referred to Committee on Common Carriers.

HOUSE BILL NO. 594 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 594, A bill to be entitled "An Act granting to the city of Austin the north half of block ninety-four (94) in said city and authorizing the Colored Methodist Episcopal Church of Austin, known as the Wesley Chapel to convey or sell same to said city."

The bill was read second time.

Mr. Williams of Travis offered the following (committee) amendments to the bill:

(1)

Strike out all before the enacting clause and insert in lieu thereof the following:

A bill to be entitled "An Act to sell to the Austin Independent School District the north half of Block Ninety-four (94) in the City of Austin and directing the issuance of a patent for same, and declaring an emergency."

Whereas, In the year 1839 under an Act of the Republic of Texas, the City

of Austin was surveyed into town lots, streets, alleys, parks and public places, and among other designations caused to be marked on the north half of Block Ninety-four (94), as shown by its map or plot of said half block as "church" property; and,

Whereas, In the year 1869 Wesley Chapel, a Colored Methodist Episcopal Church, erected a church building on said property and the same has been continuously used for church purposes; and,

Whereas, The said property is situated directly across the street from Junior High School in the City of Austin, and Austin Independent School District desires to acquire the same for school purposes, which is a different purpose from that of said designation; now, therefore:

(2)

Strike out all after the enacting clause and insert in lieu thereof the following:

Section 1. That the north half of block number ninety-four (94), in the city of Austin, Texas, according to the original map or plot of said city made in 1839, which north half of said block is bounded on the north by Ninth Street; on the east by Neches Street; on the south by the alley running east and west through said block, and on the west by Trinity Street, be and the same is hereby granted and sold to the Austin Independent School District of the State of Texas, for the sum of two thousand and five hundred dollars (\$2,500.00), and the Governor and Commissioner of the General Land Office are directed to issue patent to said property to said school district upon the payment of said consideration.

Sec. 2. The grant herein provided for is of the interest of the State in and to said property and shall not cover any interest which said church or other may have in same or any part thereof.

Sec. 3. The fact that Austin Independent School District desires to acquire the property described above for gymnasium and playground purposes, and it will be necessary to construct improvements thereon for use before the fall term of its school commences, creates an imperative public necessity that the constitutional rule requiring that bills be read on three several days be and the same is hereby suspended, and that this act take effect from and after its passage, and it is so enacted.

The amendments were severally adopted.

House bill No. 594 was then passed to engrossment.

HOUSE BILL NO. 658 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 658, A bill to be entitled "An Act providing that in counties having a population of not less than 73,000 and not more than 73,250, according to the Federal census of the year 1920, and said counties having two cities with a population of not less than 22,000 each, according to the said census, it shall be unlawful for the city officials of such counties in this State to issue warrants for any purpose in any one year which shall exceed the amount of \$25,000."

The bill was read second time.

On motion of Mr. Quinn, the bill was laid on the table subject to call.

HOUSE BILL NO. 668 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 668, A bill to be entitled "An Act to protect fur-bearing animals in Henderson county by prohibiting the hunting, killing, trapping, taking or possessing such animals for barter or sale in Henderson county at any time except from the 10th day of December to the 25th day of January of each year."

The bill was read second time.

Mr. Mosely offered the following amendment to the bill:

Amend House bill No. 668 by striking out "December 10th" or "tenth" wherever it occurs and insert in lieu thereof "December 1st" or "first."

The amendment was adopted.

House bill No. 668 was then passed to engrossment.

HOUSE BILL NO. 706 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 706, A bill to be entitled "An Act to amend Title 44, Article 2350b, of the Revised Civil Statutes of 1925, relating to the payment of county commissioners."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 707 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 707, A bill to be entitled "An Act creating a more efficient road system for Hutchinson county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts," etc.

The bill was read second time.

The amendments as recommended by the committee were adopted.

House bill No. 707 was then passed to engrossment.

HOUSE BILL NO. 724 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 724, A bill to be entitled "An Act creating Brownsville navigation district of Cameron county, Texas, to be governed by the provisions of Section 59, Article 16, of the Constitution, and by Chapter 5 of the General Laws passed by the Thirty-ninth Legislature at its Regular Session in 1925, relating to navigation districts, except as herein otherwise provided, and defining its boundaries."

The bill was read second time and was passed to engrossment.

SENATE BILL NO. 107 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 107, A bill to be entitled "An Act to amend Article 1935 of Chapter 2, Title 41, of the Revised Civil Statutes of 1925; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 108 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 108, A bill to be entitled "An Act to amend Article 1894 of Chapter 2, Title 40, of the Revised Civil Statutes of 1925; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 477 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 477, A bill to be entitled "An Act defining aircraft, public and civil airman, and providing that in the interest of public safety and desirability of uniform regulation, and in the interest of aeronautical progress, that aircraft operating within this State should conform with respect to design, construction and air-worthiness to the standards prescribed by the United States government, and making it unlawful for the navigation of aircraft within this State, whether for commercial, pleasure or non-commercial purposes, unless it is licensed and registered by the Department of Commerce of the United States in the manner prescribed by the lawful rules and regulations of the United States government then in force; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 388 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 388, A bill to be entitled "An Act amending Article 879g as amended by Chapter 215 of the General and Special Laws of the Regular Session of the Legislature, so as to close the deer season in certain counties; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 434 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 434, A bill to be entitled "An Act to create Santa Maria water control and improvement district, Cameron county, number four (4) in Cameron county, Texas; validating and approving all orders made by the commissioners court of said county in respect to the original organization of said district as a water improvement district under Article 3, Section 52, of the Constitution; validating and approving all orders made by the board of directors of said district converting said district to a conservation and reclamation district under Section 59, of Article 16, of the

Constitution of the State of Texas; validating all assessments of taxes, the authorization, issuance and sale of bonds thereof, and providing for their payment, and the issuance and sale of the bonds of said district and providing for their payment by the annual levy, assessment and collection of general ad valorem taxes on all taxable property in said district; approving and validating all orders of the commissioners court of said county and of the board of directors of said district, bonds and taxes, or certified copies thereof, and constituting all such orders and their record legal evidence; providing that proof of publication of the constitutional notice required in the enactment of this act has been duly made; enacting provisions incident and necessary to the subject and purpose of this act; and declaring an emergency."

The bill was read second time and was passed to third reading.

HOUSE BILL NO. 619 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

H. B. No. 619, A bill to be entitled "An Act to amend Articles 7677 and 7684, Chapter 2, Title 28, of the Revised Civil Statutes of Texas, 1925, as follows: Amend Article 7677 by providing that delinquent tax rolls shall be made up on the 31st day of January and 31st day of July of each year; and amending Article 7684 by providing that one-half of all taxes levied under this chapter for the calendar year 1929 and for each calendar year thereafter shall become due on the first day of November of each year."

The bill was read second time.

Mr. Long of Wichita offered the following amendment to the bill:

Amend the bill by striking out all above and below the enacting clause and insert in lieu thereof the following:

C. S. H. B. No. 619, A bill to be entitled "An Act to confer on water improvement districts the power to elect to establish a plan for the collection of district taxes in two equal annual installments; providing the means for so doing, and establishing provisions for fixing times for the accrual of delinquency days appropriate to the semi-annual payment plan; amending Chapter 2 of Title 128 of the Revised Civil Statutes of Texas, by adding to Article 7674, a subdivision (a); to Article 7677, a subdivision (a); to Article 7684

a subdivision (a); also suspending the rules and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 7674, as contained in Chapter 2 of Title 128 of the Revised Civil Statutes of Texas, do be amended by adding thereto an elective provision, to be known as subdivision (a), which shall provide as follows, viz:

(a) It is, however, provided that if the directors of a district find that it will be for the best interest of the district to make the taxes of the district become due and payable in two equal semi-annual installments, they may elect so to do, shall have the power so to do, and may, by their order entered of record, establish any one day of the year on which one-half of the district's tax shall become due and payable, and establish another day, to be six months next after the day fixed for payment of the first installment of such taxes, on which later day the second one-half of the district's tax shall become due and payable. It is provided, however, that districts adopting the semi-annual tax payment plan, may change or alter the days for maturity of tax payments, or, may by order abandon such elective plan. It is further provided that any such change in the district's plan for the payment of taxes shall not become effective until sixty or more days after the adoption of the changed plan: Further, notice of the change in the plan for payment of taxes must be published in one or more newspapers, giving general circulation in the district, once a week for two consecutive weeks, and the last of such publications must be circulated not less than thirty (30) days before the day fixed for the first payment of taxes under the elective plans hereby provided for.

Sec. 2. That Article 7677, as the same appears in Chapter 2 of Title 128 of the Revised Civil Statutes of Texas, do be amended by adding thereto a subdivision to be known as (a), which shall provide as follows, viz:

(a) The directors of any district which does adopt the elective plan for the semi-annual payment of taxes, shall have prepared semi-annual delinquent tax rolls, appropriately to conform to the semi-annual payment plan: Thereafter the procedures provided by Articles 7678, 7679, 7680 and all other appropriate, applicable provisions of said Chapter 2, shall be effective to enforce payment of taxes by districts

which do adopt the semi-annual tax payment plan by this act provided for.

Sec. 3. That Article 7684, as the same is contained in Chapter 2 of Title 128 of the Revised Civil Statutes of Texas, do be amended by adding thereto a subdivision to be known as (a), which shall provide as follows, viz:

(a) In districts operating under the plan to require the semi-annual payment of taxes, as provided for in subdivision (a) of Article 7674 (Section 1 of this act), all semi-annual tax installments which may not have been paid within ninety (90) days next after the day established for the payment of same shall become instantly delinquent, and shall become subject to the same penalties and interest charges, as are provided by Article 7684 of said Chapter 2 of Title 128 of the Revised Civil Statutes of Texas: It is further provided that if any tax payer fails to pay the first one-half of the taxes, or assessments, levied against his property for any given year, and permits the same to become delinquent, then and in such event, the second installment levied against such property, to mature for that same year, shall become at once due, payable, and delinquent on the instant day upon which the first installment was permitted to become delinquent: The whole sum of such year's levies thereupon shall be deemed delinquent, and the whole thereof shall thereupon become subject to the same penalties and interest charges as are provided by said Article 7684.

Sec. 4. The fact that a more flexible plan for the collection of taxes by water improvement districts is urgently needed, creates an emergency and an imperative public necessity that the constitutional rule requiring that bills be read on three several days be suspended, and that this bill be placed on final passage, and said rule is hereby suspended.

The amendment was adopted.

House bill No. 619 was then passed to engrossment.

HOUSE BILL NO. 551 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment.

H. B. No. 551, A bill to be entitled "An Act to provide a five-year closed season on quail in Medina county, Texas, and declaring an emergency."

The bill was read second time.

Mr. Sanders offered the following amendment to the bill:

Amend House bill No. 551 by striking out the words "or kill" after the word "limit" and insert the following: "kill or possess."

The amendment was adopted.

Mr. Minor offered the following amendment to the bill:

Amend House bill No. 551 by adding thereto the following counties, to-wit: Falls, Foard, Hutchinson and Denton.

The amendment was adopted.

House bill No. 551 was then passed to engrossment.

HOUSE BILL NO. 718 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment.

H. B. No. 718, A bill to be entitled "An Act providing for the establishment of a prison reformatory in connection with the State prison system for young, short-term prisoners."

The bill was read second time and was passed to engrossment.

RELATING TO HOUSE BILL NO. 454.

On motion of Mr. Maynard, by unanimous consent, Bastrop county was added to the provision of House bill No. 454.

HOUSE BILL NO. 399 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment.

H. B. No. 399, A bill to be entitled "An Act to provide for the sexual sterilization of inmates of State institutions in certain cases; prescribing the method of procedure and fixing duties of officials concerned therewith."

The bill was read second time.

On motion of Mr. Kincaid, further consideration to the bill was postponed until next Tuesday.

SENATE BILL NO. 87 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading.

S. B. No. 87, A bill to be entitled "An Act amending Article 1177, Chapter 7, Title 15, of the Penal Code of

the State of Texas, Revision of 1925; and declaring an emergency."

The bill was read second time.

Mr. Williams of Travis offered the following (committee) amendment to the bill:

Amend Senate bill No. 87 by adding to Section 1 the following: "or by fine not exceeding two thousand dollars," and amend the caption to conform to changes in bill.

The amendment was adopted.

Senate bill No. 87 was then passed to third reading.

HOUSE BILL NO. 245 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading.

H. B. No. 245, A bill to be entitled "An Act to amend Article 2905 of the Revised Civil Statutes of the State of Texas, with reference to power and authority of county school trustees and of the trustees of independent districts having scholastic population of more than one hundred and fifty scholastics and of the trustees of independent school districts under the jurisdiction and control of any city government; granting the right of eminent domain, and prescribing the procedure of the same, and declaring an emergency."

The bill was read second time.

On motion of Mr. Speck the bill was laid on the table subject to call.

HOUSE BILL NO. 684 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment.

H. B. No. 684, A bill to be entitled "An Act amending Article 36 of the Penal Code of 1925, so as to provide a rule in reference to evidence and defenses in criminal cases relative to temporary insanity caused by the recent voluntary use of intoxicating liquor or any narcotic or narcotic drug of any marihuana, and relating to the instructions to the jury relative thereto; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 281 ON SECOND READING.

The Speaker laid before the House,

on its second reading and passage to engrossment.

H. B. No. 281, A bill to be entitled "An Act to amend Article 6215, Title 109, Revised Statutes of Texas, 1925, relative to the time of payment of pensions, affidavits supporting claims and warrants issued in payment thereof, by changing the time of payment of the pensions so as to provide that payments shall be made on the first day of each year; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

SENATE BILL NO. 125 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading.

S. B. No. 125, A bill to be entitled "An Act to grant power to either member of the Railroad Commission or any employee designated by the Railroad Commission of whatever nature to hold hearings and investigations and make a record thereof for the use and benefit of the Railroad Commission, the same as if the entire commission were present, and granting to such Commissioner or designated employee power to administer oaths, certify to official acts, compel the attendance of witnesses and the production of papers, waybills, books, accounts, and punish for contempt, providing for the introduction and consideration of said testimony by the commission, and declaring an emergency."

The bill was read second time and was passed to third reading.

HOUSE BILL NO. 723 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment.

H. B. No. 723, A bill to be entitled "An Act authorizing the commissioners court of Polk county to employ a deputy in aid of the regularly elected sheriff of said county."

The bill was read second time and was passed to engrossment.

SENATE BILL NO. 98 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading.

S. B. No. 98, A bill to be entitled

"An Act to require all persons who teach in the public schools to be American citizens."

The bill was read second time.

On motion of Mr. Kemble, the bill was laid on the table subject to call.

SENATE BILL NO. 99 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment.

H. B. No. 99, A bill to be entitled "An Act relating to courses of instruction in the Constitution of the United States in schools, colleges, universities and other educational institutions of the State of Texas."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 384 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading.

S. B. No. 384, A bill to be entitled "An Act to validate organization of certain independent school districts, and validating the board of trustees of same, and providing that they shall have the powers conferred by the laws of this State applicable to such districts, and validating all proceedings and acts of same heretofore taken and had as authorized by the school laws of this State; validating all bonds authorized and sold and now outstanding of said districts; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 169 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading.

S. B. No. 169, A bill to be entitled "An Act to provide for the taking of testimony of a witness or witnesses in this State, either written interrogatories or oral deposition, on any mandate, writ or commission issued out of any court of record in any other State, Territory, district or foreign jurisdiction; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 154 ON SECOND READING.

The Speaker laid before the House,

on its second reading and passage to third reading,

S. B. No. 154, A bill to be entitled "An Act amending Article 1831, Title 39, Revised Statutes of the State, prescribing certain duties of clerks of the Courts of Civil Appeals with reference to the filing, recording and preservation of the records and proceedings of said court."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 179 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 179, A bill to be entitled "An Act to amend Article 4632 of the Revised Civil Statutes of 1925, so as to better regulate the making of returns and canvassing the result in primary elections; and declaring an emergency."

The bill was read second time and was passed to third reading.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 22, 1929.
Hon. W. S. Barron, Speaker of the House, of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 31, Inviting the Hon. Herbert Hoover to attend the eleventh annual convention of the West Texas Chamber of Commerce to be held at El Paso, Texas.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

SENATE BILL NO. 182 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 182, A bill to be entitled "An Act repealing Article 6815, Revised Civil Statutes of 1925; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 191 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 191, A bill to be entitled "An Act providing for the separation of all public free school affairs in cities or towns from the municipal government therein; providing that all the power and authority over such schools shall be exercised by such cities or towns through their boards of education; providing for the election of trustees of the independent districts authorized herein; vesting the title to school property of such cities and towns in the independent district; authorizing the independent districts to assume outstanding bonds of cities and towns issued for school purposes; repealing all laws and parts of laws in conflict with the provisions of this act, and declaring an emergency."

The bill was read second time.

Mrs. Moore offered the following (committee) amendment to the bill:

Amend Senate bill No. 191 by adding "or board of trustees," after "board of education," wherever it appears, and amend the caption to conform thereto.

The amendment was adopted.

Senate bill No. 191 was then passed to third reading.

Mrs. Moore moved to reconsider the vote by which the bill passed to third reading.

The motion to reconsider prevailed.

Question—Shall the bill be passed to third reading?

RELATING TO SENATE BILL NO. 117.

Mr. Harrison moved to reconsider the vote by which Senate bill No. 117 was finally passed.

The motion to reconsider prevailed.

(Mr. Minor in the chair.)

HOUSE BILL NO. 389 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 389, A bill to entitled "An Act to amend Sections 1, 4, 8, 14 and 15, of House bill No. 50, the same being Chapter 270 of the Acts of the Regular Session of the Fortieth Legislature, 1927, and adding a new section, Section 11a, thereto, so as to more accurately define the term 'motor bus company' and better define the jurisdiction of the Railroad Commission of Texas in the regulation of motor bus transportation; to provide for the regulation of motor bus terminals; to provide for the licensing of bus drivers and

prescribe fees therefor; regulating the rates and the sale of tickets over bus lines; granting to the Railroad Commission the power to bring suits to procure injunctions for the enforcement of the provisions of said House bill No. 50, the same being Chapter 270 of the Acts of the Regular Session of the Fortieth Legislature."

The bill was read second time.

Mr. McGill offered the following amendments to the bill:

(1)

Amend House bill No. 389, page 7, by striking out subdivision (d) of Section 5, and renumbering.

(2)

Amend House bill No. 389 by adding the word "that" after the word "require" in line 13, page 3.

(3)

Amend House bill No. 389 by adding the words "or termini" after the word "terminal" in line 11, page 3.

(4)

Add to sub-section (b) of Section 3, the following: "Provided the provisions of this sub-section shall not apply if the stock to be sold constitutes no more than 5 per cent of the total stock of the motor bus company, and the purchaser or group of purchasers does not already own or control more than 5 per cent of the total stock of the company; and provided further that the sale of such stock does not change the controlling interest in such motor bus company."

The amendments were severally adopted.

House bill No. 389 was then passed to engrossment.

BILL ORDERED NOT PRINTED.

On motion of Mr. Quinn, Senate bill No. 397 was ordered not printed.

ADJOURNMENT.

Mr. Albritton moved that the House recess to 2 o'clock p. m. today.

Mr. Morse moved that the House adjourn until 10 o'clock a. m. next Monday.

The motion of Mr. Morse prevailed, and the House accordingly, at 12 o'clock m., adjourned until 10 o'clock a. m. next Monday.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Highways and Motor Traffic: House bills Nos. 300 and 280; Senate bills Nos. 527, 529, 524 and 481.

Game and Fisheries: Senate bill No. 374; House bills Nos. 709, 730 and 711.

Public Health: Senate bill No. 181.

Counties: House bills Nos. 723 and 725.

Revenue and Taxation: House bill No. 491.

Judiciary: Senate bill No. 376.

Conservation and Reclamation: House bill No. 721; Senate bill No. 434; House bill No. 724.

Public Lands and Buildings: Senate bills Nos. 446 and 321.

Common Carriers: Senate bill No. 477.

Live Stock and Stock Raising: Senate bill No. 366.

State Affairs: Senate bill No. 142; House bill No. 706.

Insurance: Senate bill No. 353.

Labor: Senate bill No. 161.

Education: House bill No. 675.

The following committees have today filed adverse reports on bills, as follows:

Revenue and Taxation: House bill No. 720.

Judiciary: House bills Nos. 140, 47 and 729.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, February —, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 153, "An Act authorizing the creation of corporations for the purpose of compiling and/or acquiring and owning abstract plants in this or any other State, and to compile and sell abstracts of titles therefrom and to insure the title to lands and interests therein and liens thereon, and authorizing such corporations to accumulate and lend money, to deal in securities, and to act as trustee, receiver, executor, administrator and guardian; regulating the amount of paid-in capital of all corporations operating under this act; requiring all corporations created or permitted to do business under this act

and those created under subdivision 57, Article 1302, and Chapter 18, Title 78, Revised Statutes of 1925, and all other corporations to operate under the control of and subject to regulation as to forms of policies and prices prescribed by the Board of Insurance Commissioners; permitting foreign corporations to do business in Texas, and providing for the forfeiture of such right; requiring a deposit of cash or securities; providing for filing fees and franchise taxes, and the filing of charters and amendments thereto; providing for the issuance of certificates of authority to do business; requiring a reserve and the maintenance intact of the capital stock; giving the Board of Insurance Commissioners exclusive control over corporations doing business hereunder; requiring annual statements from and providing for examinations of such corporations; regulating their names; regulating the granting of permits to foreign corporations and requiring powers of attorney for them; permitting foreign title insurance companies to loan funds in this State without securing authority to write title insurance; prohibiting commissions, rebates and discounts by corporations doing business under this act; fixing filing fees and occupation taxes of foreign corporations doing business under this act; prohibiting the further chartering of corporations under subdivision 57, Article 1302, Revised Statutes of 1925, and declaring that Article 1344, Revised Statutes of 1925, shall not apply to corporations hereunder; making the terms and provisions of this act conditions the violation of which to be cause for the revocation of the permit and forfeiture of the charters of domestic corporations and the permits of foreign corporations, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 14, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 162, "An Act to amend Articles 74 and 75 of Chapter 3, Title 4, of the Revised Civil Statutes of 1925, so as to qualify the kind of pink bollworms that may be declared to be a menace; providing the conditions under which the pink bollworms are to be

found; providing compensation for all losses incurred or expenses sustained by all persons, firms or corporations required to comply with the provisions of Chapter 3, of Title 4, of the Revised Civil Statutes of 1925; and enlarging the powers of the compensation claim board; providing for State ownership or lease of fumigation and sterilization plants; and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February —, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 276, "An Act to provide for the payment of actual and necessary expenses of official and deputy official shorthand reporters while actually engaged in the discharge of their duties; providing for the manner of payment of such expenses by the several counties of the judicial districts, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

THIRTY-THIRD DAY.

(Monday, February 25, 1929.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and the following members were present:

Mr. Speaker.	Cox of Limestone.
Acker.	DeWolfe.
Ackerman.	Dunlap.
Adkins.	Duvall.
Albritton.	Enderby.
Anderson.	Ewing.
Baker.	Eickenroht.
Baldwin.	Finn.
Barnett.	Finlay.
Bateman.	Forbes.
Beck.	Fuchs.
Bounds.	Gates.
Bradley.	Gerron.
Brice.	Gilbert.
Brooks.	Giles.
Carpenter.	Graves
Coltrin.	of Williamson.
Conway.	Graves of Erath.
Cox of Navarro.	Hardy.
Cox of Lamar.	Harding.